

PRICE OKAMOTO HIMENO & LUM

WARREN PRICE III 1212
ROBERT A. MARKS 2163
707 Richards Street, Suite 728
Honolulu, Hawaii 96813
Phone: 808.538.1113
Fax: 808.533.0549
E-mail: wprice@pohlhawaii.com
ram@pohlhawaii.com

Attorneys for Defendants
KIAHUNA GOLF CLUB, LLC,
KG KAUAI DEVELOPMENT, LLC,
PUKALANI GOLF CLUB, LLC,
KG MAUI DEVELOPMENT, LLC,
MILILANI GOLF CLUB, LLC,
QK HOTEL, LLC, OR HOTEL, LLC,
AND KG HOLDINGS, LLC

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

SPORTS SHINKO CO., LTD., a
Japan corporation,
Plaintiff,

vs.

QK HOTEL, LLC, a Hawaii limited
liability company, et al.,

Defendants,

and

FRANKLIN K. MUKAI,

Third-Party Plaintiff,

vs.

SPORTS SHINKO (USA) CO., LTD.,
a Delaware Corporation, et al.,

CV 04-00124 ACK-BMK
CONSOLIDATED CASES
KG DEFENDANTS' SUMMARY
OF RELATED STATE COURT
LITIGATION; EXHIBIT A;
CERTIFICATE OF SERVICE

DATE: March 20, 2006
TIME: 1:30 pm
JUDGE: Hon. Alan C. Kay

Third-Party Defendants.

SPORTS SHINKO (USA) CO., LTD.,
a Delaware corporation,

Plaintiff,

vs.

PUKALANI GOLF CLUB, LLC, a
Hawaii limited liability company, et
al.,

Defendants,

and

FRANKLIN K. MUKAI,

Third-Party Plaintiff,

vs.

SPORTS SHINKO CO., LTD., a
Japan Corporation, et al.,

Third-Party Defendants

SPORTS SHINKO (USA) CO., LTD.,
a Delaware corporation,

Plaintiff,

vs.

KIAHUNA GOLF CLUB, LLC, a
Hawaii limited liability company, et
al.,

Defendants,

and

FRANKLIN K. MUKAI,

Third-Party Plaintiff,

vs.

SPORTS SHINKO CO., LTD., a
Delaware Corporation, et al.,

Third-Party Defendants.

CV 04-00125 ACK-BMK

CV 04-00126 ACK-BMK

SPORTS SHINKO CO., LTD., a
Japan corporation,

Plaintiff,

vs.

OR HOTEL, LLC, a Hawaii limited
liability company, et al.,

Defendants,

and

FRANKLIN K. MUKAI,

Third-Party Plaintiff,

vs.

SPORTS SHINKO (USA) CO., LTD.,
a Delaware Corporation, et al.,

Third-Party Defendants.

SPORTS SHINKO (USA) CO., LTD.,
a Delaware corporation,

Plaintiff,

vs.

MILILANI GOLF CLUB, LLC, a
Hawaii limited liability company; et
al.,

Defendants,

and

FRANKLIN K. MUKAI,

Third-Party Plaintiff,

vs.

SPORTS SHINKO CO., LTD., a
Japan Corporation, et al.,

Third-Party Defendants.

CV 04-00127 ACK-BMK

CV 04-00128 ACK-BMK

KG DEFENDANTS' SUMMARY OF RELATED STATE COURT LITIGATION

Defendants KG Holdings, LLC and Mililani Golf Club, LLC, Kiahuna Golf Club, LLC, KG Kauai Development, LLC, Pukalani Golf Club, LLC, KG Maui Development, LLC, QK Hotel, LLC, and OR Hotel, LLC, ("KG"), through their attorneys, Price Okamoto Himeno & Lum, hereby responds to the e-mail from Judge Kay's law clerk, sent March 16, 2006, requesting a short summary of related state court litigation.

KG defers to the Sports Shinko parties (SS") about the particulars of state court related litigation. As far as KG is aware, it is not a party to any litigation with SS except these consolidated federal cases.

KG understands there is one case still pending in the Hawaii state courts, entitled Sports Shinko Co. (USA), Ltd. v. Resort Management Services (Hawaii) Inc., et al., Hawaii 1st Cir. Civ. No. 02-1-002766 (filed November 26, 2002) ("Civ. No. 02-1-002766"). The parties are:

Plaintiffs: Sports Shinko Co., Ltd.
Sports Shinko (USA) Co., Ltd.
Sports Shinko (Mililani) Co., Ltd.
Sports Shinko (Kauai) Co., Ltd.
Sports Shinko (Pukalani) Co., Ltd.
Sports Shinko (Waikiki) Co., Ltd.

Defendants: Resort Management Services (Hawaii) Inc.
Toshio Kinoshita
Satoshi Kinoshita
Takeshi Kinoshita

Toshiya Kinoshita
Tsugio Fukuda

KG has limited information about this case, but understands that the SS settled with all defendants except Satoshi Kinoshita. KG also understands that financial terms for a settlement with Satoshi has been agreed upon, but the settlement has not been executed because of a pending discovery issue. See Rule 56(f) declaration filed by SS's counsel in these federal cases on February 18, 2006, ¶ 8.

KG understands that the settlements reached with some of the defendants in Civ. No. 02-1-002766 included a requirement that the defendant give sworn recorded testimony to SS. KG has formally requested the transcripts, but SS has refused to produce them on the basis of privilege, work product, or both. See Exhibit A hereto.

KG has no reason to believe that the outcome of this federal litigation will relate to, or impact the issues in Civ. No. 02-1-002766, and vice versa.

In addition, KG understands that there has been litigation in California and Florida, but has no information about those cases.

DATED: Honolulu, Hawaii, March 17, 2006.

/s/ Robert A. Marks

WARREN PRICE III
ROBERT A. MARKS

Attorneys for Defendants
KIAHUNA GOLF CLUB, LLC,
KG KAUAI DEVELOPMENT, LLC,
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